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APPLICATION NO. FILING DATE		ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/865,377	05/25/2001		Geoffrey Shively	SHVLY-013A	3726	
7663	7590	11/24/2004		EXAMINER		
STETINA 1 75 ENTERP		A GARRED & BR	ADAMS, JONATHAN R			
ALISO VIE.	,			ART UNIT PAPER NUM		

DATE MAILED: 11/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

		Ar	oplication No.	Applicant(s)				
Office Action Summary			9/865,377	SHIVELY, GEOFFREY				
			aminer	Art Unit				
			nathan R Adams	2134				
Period fo	The MAILING DATE of this communic or Reply	cation appears	s on the cover sheet with the c	correspondence addres	is			
THE I - Exter after - If the - If NC - Failu Any I	ORTENED STATUTORY PERIOD FOMAILING DATE OF THIS COMMUNIC usions of time may be available under the provisions of SIX (6) MONTHS from the mailing date of this commuperiod for reply specified above is less than thirty (30) period for reply is specified above, the maximum state to reply within the set or extended period for reply well received by the Office later than three months afted patent term adjustment. See 37 CFR 1.704(b).	CATION. f 37 CFR 1.136(a). nication. days, a reply withi utory period will ap rill, by statute, caus	In no event, however, may a reply be tir in the statutory minimum of thirty (30) day ply and will expire SIX (6) MONTHS from se the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this commu D (35 U.S.C. § 133).	ınication.			
Status								
1)⊠	Responsive to communication(s) filed	on <u>25 <i>May</i> 2</u>	<u>2001</u> .					
2a) <u></u> ☐	This action is FINAL . 21	o)⊠ This act	ion is non-final.					
3)□	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Dispositi	on of Claims							
5)□ 6)⊠ 7)□	Claim(s) is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. Claim(s) is/are allowed. Claim(s) 1-12 is/are rejected.							
Applicati	on Papers							
10)	The specification is objected to by the The drawing(s) filed on is/are: Applicant may not request that any object Replacement drawing sheet(s) including the oath or declaration is objected to	a) accepte tion to the draw the correction i	ving(s) be held in abeyance. Se is required if the drawing(s) is ob	e 37 CFR 1.85(a). jected to. See 37 CFR 1				
Priority ι	ınder 35 U.S.C. § 119							
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.								
Attachmen	t(s)							
	e of References Cited (PTO-892)	· O 0.45;	4) Interview Summary					
3) 🔲 Infor	te of Draftsperson's Patent Drawing Review (PT mation Disclosure Statement(s) (PTO-1449 or For No(s)/Mail Date		Paper No(s)/Mail D 5) Notice of Informal F 6) Other:	ate Patent Application (PTO-152	2)			

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DETAILED ACTION

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Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 1-3, 5-9, 11-12 rejected under 35 U.S.C. 103(a) as being unpatentable over Shanklin et al., US Patent No 6578147 (hereafter referred to as '147) in view of "Network Based Intrusion Detection" (hereafter referred to as NBID).

 As to claim(s) 1, 7, 9:
- 3. '147 teaches a network intrusion detection system using hardware signal detecting components comprising:
 - Receiving data from Internet and forwarding to a router and network operations center / local network could have an Internet routing gateway before IDS manager station (Col 3, Line 53, '147) (Fig 3, '147)
 - Device is invisible to devices on Internet / IDS sensors are transparent to network
 performance (Col 4, Line 45, '147)
 - Line-in port / Line-out port / Connections to IDS sensor (Fig 3, Element 31, '147)
 - Direct administration line providing direct link to network operations center
- '147 does not specifically teach for a case to enclose the hardware circuitry.
 NBID teaches an IDS management system using IDS sensors enclosed in standard PC

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tower cases (Page 6, NBID). It would have been obvious to a person of ordinary skill in the art at the time of invention to enclose the hardware in '147 in standard PC tower cases as in NBID. One of ordinary skill in the art would have been motivated to enclose the hardware in '147 in standard PC tower cases as in NBID because '147 has exemplified the use of NETRANGER, which is a sensor used in NBID (Col 3, Line 67, '147)

5. As to claim(s) 2:

S-link on the external surface for connecting to another network security device / IDS sensor connections (Fig 3, '147)

As to claim(s) 3, 8:

6. '147 as modified above teaches a network IDS system using multiple IDS sensors enclosed in standard PC tower cases. '147 as modified above does not specifically teach for the PC case to include an indicator for providing status of network security device. The examiner takes official notice as to using an indicator light on PC tower case. It would have been obvious to a person of ordinary skill in the art at the time of invention to use an indicator light on the PC tower case to provide status of the network security device. One of ordinary skill in the art would have been motivated to use an indicator light on the PC tower case to provide status of the network security device because it is very common that PC tower cases include several status indicator lights, examples include power, hard drive access, CD-ROM access etc.

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7. As to claim(s) 5, 11:

Internet connection line transfers data from a managed service provider / IDS manager station (Fig 1, Element 10c, '147)

8. As to claim(s) 6, 12:

Internet connection line transfers data from data center host / server (Fig 1, Element 10b, '147)

9. Claims 4 and 10 rejected under 35 U.S.C. 103(a) as being unpatentable over '147 in view of "Destek Collocation Services".

As to claim(s) 4, 10:

10. '147 as modified above teaches a network IDS system using multiple IDS sensors enclosed in standard PC tower cases. '147 as modified above does not teach for the server and IDS system to part of a collocation hosting service. Destek teaches a secure collocation hosting service using intrusion detection monitoring (Page 1, Line 7, Destek). It would have been obvious to a person of ordinary skill in the art at the time of invention to use the intrusion detection invention of '147 at a collation facility as done in Destek. One of ordinary skill in the art would have been motivated to use the intrusion detection invention of '147 at a collation facility as done in Destek because it would provide a greater level of security to the collocation hosting system.

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Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan R Adams whose telephone number is (571)272-3832. The examiner can normally be reached on Monday – Friday from 10am to 6pm.

12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is (571)272-3838. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

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